



UDC Amendment Request Application for Internal Parties ***(City of San Antonio Departments)***

Part 1. Applicant Information

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Date: 2022.02.01 09:24:39 -06'00' Date: 1/26/2022
(Include title if representing a governmental agency or public/private organization)

Part 2. Basis for Update (check only one)

- ☐ Clarification amendments to provide for ease of interpretation and understanding of the existing provisions of the UDC
(Note: Clarification amendments should not change or alter the intent or meaning of existing UDC provisions)
- ☐ Editing change that does not alter the impact of the provisions being addressed including changes such as spelling, grammar correction, formatting, text selection, or addition of text in compliance with existing ordinance, statutes or case law
- ☒ Completed Rule Interpretation Determination (RID)
- ☐ Requested by the Zoning Commission, Planning Commission, Board of Adjustment, HDRC, City Council or other appropriate city board or council (CCR, resolution or signature of the chairperson is required)
- ☐ City of San Antonio Staff Amendment

Part 3. Reason(s) for Update (check all that apply)

- ☒ Modify procedures and standards for workability and administrative efficiency
- ☐ Eliminate unnecessary development costs
- ☐ Update the procedures and standards to reflect changes in the law or the state of the art in land use planning and urban design
- ☒ See Part 4 (if none of the provided choices in this section apply, please discuss the reasons for the proposed update in Part 4)

Part 4. Summary of Proposed Update with Suggested Text (see application instructions)

The proposed amendments to Sec. 35-210 Table 210-2 of the UDC is in intended to provide incentives for property owners utilizing LID components
on their monthly water bill for the Storm Water Utility fee. This incentive is already in practice. We are providing language on the maximum allowed credits.
Sec. 35-210(g)(2)(D) is updating code language per the previously approved RID for identifying what "redevelopment" means. Sec.35-210(g)(2)(E)
& Sec 35-210(g)(5)(E) are providing flexibility in design of LID for offsite treatment and automated drainage system components.

Part 5. Cost Impact Statement

Section 35-11(a) of the UDC requires that all requests for amendments include a Cost Impact Statement. The Cost Impact Statement should be justified with substantiating information, such as cost estimates or studies.

The requested change to the UDC (please check appropriate box):

By how much?

(Indicate either a dollar amount or percentage above or below current construction and/or development costs)

A. ☒ Will not impact the cost of construction and/or development.

B. ☐ Will increase the cost of construction and/or development. _____

C. ☐ Will decrease the cost of construction and/or development. _____

Part 6. Cost Impact Narrative and Back-Up Information

Please fully quantify the Cost Impact Statement that was provided in Part 5. Attach all relevant data and associated costs that you wish to have considered as well as a narrative explaining how the Cost Impact Statement was developed. If you need additional space, please attach additional sheets.

Be sure to:

- Consider and indicate initial and long-term maintenance costs;
- Consider city cost (i.e. personnel costs and costs to enforce);
- Indicate and be able to rationalize the baseline (current costs) and the cost projections associated with your request.

Table 210-2 within this section is codifying incentives for owners/developers that implement LID components on their property for a reduction in their Storm Water Utility Fee. There is not expected to be a cost impact to the developer rather a cost savings on their monthly SAWS water bill. The proposed amendments for 35-210(g)(2)(D) are updates to clarification of the term "redevelopment" per the previously approved RID. Additionally, 35-210(g)(2)(E) is providing flexibility for the treatment of runoff offsite by means of LID components, rather than onsite in those circumstances where the site is small and constricted by the amount of buildable area. There is no expected cost impact for this section. 35-210(g)(5)(E) also provides the developer/owner flexibility in design of LID components that have an automated drainage system. There is no expected cost impact for this section. 35-210(l)(1) is providing guidance where there are acute sources of pollution such as dog parks, dumpster pads, etc shall indicate specific maintenance of said sources and the associated BMP's be outlined in the operation and maintenance plan. The O&M plans are already a requirement as outlined in the current ordinance and LID manual. This section is not expected to create a cost impact.

UDC 2021 Proposed Amendment

Amendment 27-42**Applicant: Public Works****Amendment Title** – ‘Sec. 35-210. - Low Impact Development and Natural Channel Design Protocol (LID/NCDP).’**Amendment Language:**

Table 210-2

<u>Credit/Offset</u>	<u>Percent of Water Quality Volume (WQV) Managed</u>				
	<u>60%</u>	<u>70%</u>	<u>80%</u>	<u>90%</u>	<u>100%</u>
<u>FILO Reduction</u>	<u>5%</u>	<u>10%</u>	<u>20%</u>	<u>25%</u>	<u>30%</u>
<u>Storm Water Utility Fee (SWUF) Reduction</u>	<u>30%</u>				
<u>Note: LID designed to manage runoff above the required WQV, or Natural Channel Design (NCDP) that increases channel storage to the point of decreasing runoff may result in further reduction or elimination of FILO and SWUF. Reference 210(i)(1)(B).</u>					

	Percent of Water Quality Volume Managed ⁽¹⁾				
	60%	70%	80%	90%	100%
Credit/Offset					
FILO Fee Discount					
Meets LID Performance Standard	5%	10%	20%	25%	30%
Meets Detention Requirements or Increases Channel Storage through NCDP	Cumulative Reduction in Flow Sliding Scale — see 210(i)(1)(B)				

(1) Water quality volume is defined as the runoff volume resulting from the first 1.5 inches of rainfall falling in twenty-four (24) hours on the developed portions of the site

- (g) **Stormwater Management.** An LID/NCDP application shall comply with the stormwater management standards of appendix H of this chapter, except as follows:

2. LID Performance Standards.

- D. **Redevelopment Standards.** A redevelopment site shall be subject to a reduced LID performance standard: the stormwater management system will be sized and designed based on the runoff volume resulting from the first 1.18 inches (equivalent to the ninetyth (90th) percentile storm calculated using the methodology developed by the EPA in report 841-B-09-001. The daily rainfall total for the period of record at the San Antonio International Airport was used to calculate the ninetyth (90th) and eighty-fifth (85th) percentile storms referenced in this section.) of rainfall in twenty-four (24) hours from rebuilt areas and newly developed areas on the site. The applicant shall be eligible for incentives to treat stormwater from the redevelopment site according to Tables 210-1 and 210-2.

Water Quality Volume (WQV) for redevelopment projects shall be calculated based on the total post-project impervious cover within the limits of construction.

1. Examples of construction or reconstruction that are generally considered redevelopment for the purposes of determining WQV include, but may not be limited to:
 - a. New buildings, parking lots, hardscape, or other impervious cover constructed on an already developed lot;
 - b. Additions to or expansion of existing buildings, parking lots, hardscape, or other impervious cover;
 - c. Demolition and reconstruction of an existing building or construction of a new building in its place;
 - d. Reconstruction of a paved surface (involves regrading or reconstruction of base material);
 - e. Removal of a paved surface to build a new structure or other impervious cover in its place; and
 - f. Removal of a building to construct new pavement or an otherwise impervious surface.
2. These types of construction are generally not considered redevelopment in terms of determining WQV:
 - a. Construction staging or lay down areas that are not within the limits of new or reconstructed impervious cover;
 - b. Temporary increases in impervious cover due to phasing (at the discretion of Public Works);
 - c. Renovation of an existing building without an addition;
 - d. Repairing pavement (i.e., mill and overlay, but not reconstruction of base);

- e. Repair or replacement of canopies; and
 - f. Untouched impervious areas on a site that is being redeveloped (i.e., existing impervious cover outside the limits of construction).
- E. **Treatment of Offsite Runoff.** Runoff from the developed or redeveloped site should generally be given preference for treatment. However, the director of Public Works or his designee may, on a case by case basis, approve treatment of offsite runoff instead of or in combination with onsite runoff. In this case, the design rainfall depth is increased by 10% for all offsite runoff. Public Works may require that some onsite runoff is treated, especially if there are potentially acute sources of pollutants (i.e., dogparks, dumpster pads, and oil/grease containers).

- (5) **Manufactured Products for Stormwater Management.** In addition to the BMPs included in the San Antonio River Basin LID Technical Guidance Manual, several proprietary manufactured products have been adopted by the Texas Commission on Environmental Quality (TCEQ) to meet a minimum of eighty (80) percent TSS removal. These devices shall not be accepted to meet the volume reduction requirement of subsection 35- 210(g)(2), but will be allowed for pre-treatment, filtering, trash removal and oil and grease removal as the first structural BMP in a treatment train. Devices that have not been approved by TCEQ may be acceptable to the Director of the transportation and capital improvements department or designee only if they meet the Technology Assessment Protocol - Ecology (TAPE) guidelines.

- E. **Automated Drainage System Components.** BMPs may include drainage system components with digital or automated controls. Provide sufficient manufacturer's documentation to show how the components function and how the system is programmed for specific site. Maintenance plans shall include all pertinent information to ensure future owners or operators can maintain the automated system (see also Section 35-210 (I)(1) & (2). Applicant is responsible for all permitting associated with these systems (plumbing, electrical, SAWS, etc.).

(I) **Maintenance.**

1. **Maintenance Required.** Structural stormwater management practices must be privately owned and shall be maintained by the property owner, unless the practices are part of a capital improvement project managed by a public agency. An operation and maintenance schedule shall be submitted to the director of transportation and capital improvements department or designee prior to approval of construction plans. Maintenance of potentially acute sources of pollution (i.e., dog parks, dumpster pads, and oil/grease containers) and the associated BMPs must be specifically included in the maintenance and operation plan
